

REMARKS

Claims 1 to 7 and 9 to 12 remain in prosecution with claim 8 was cancelled previously.

The Examiner rejected all claims under 35 USC § 112 first paragraph as failing to comply with the enablement requirement, with specific reference to “means for homogenizing and scattering radiation” of the amended claim 1.

While the specific words of homogenizing and scattering are not stated, there are a number of references to ways to scatter and spread out light at the distal end. The “scattering glass” reference in the briefly stated paragraph on page 4 is not the sole reference to those skilled in the art of active optical medical devices (“endoscopic devices and optoelectronics”). For example, statements about wide dispersion, multi-wavelength, etc. features of the sources placed at the distal end of the present invention (e.g. page 4, line 22; page 5 lines 5-9, 20-26; Page 6 lines 21-23).

In light of the examiner’s concern and to make claimed invention clearer and closer to the actual language used in the specification, applicant has modified the claims 1, 2, 11, and 12. Basically language from the cited pages as well as page 5 lines 16-22 is chosen for the modified claims. Other claims were slightly modified primarily for improved format issues.

All the language now in the amended claim set can be found in the specification, including the examples. As a special device for endoscopically performing Photodynamic Therapy (PDT), the selection of radiation sources to activate photosensitizers for the PDT and their placement at the distal end of an endoscopic device, the present invention is neither anticipated nor made obvious by the art present in 2000 when this application was filed. Using chemiluminescence to activate PDT photosensitizers within a patient’s body is new as is the positioning, including at angles to the distal surface of the endoscope, of widely dispersing diode sources so as to present a widely disperse, broad spectrum of light to activate PDT photosensitizers within a patient’s body.

The typographical/grammatical errors discovered on page 6 of the specification, which would benefit from correction are provided immediately below. Lines 15-16:

“end may be placed at ~~and~~ an angle to increase the area of irradiation even further and provide radiation in a forward direction.”

The corrected, clean lines would thus be given by:


“end may be placed at an angle to increase the area of irradiation even further and provide radiation in a forward direction.”

With these remarks and changes it is believed that the requirements of 35 USC § 112 have been answered and the disclosure and claims are now in condition for examination as one whole invention. Consideration is respectfully requested. An early and favorable response is earnestly solicited. Thank you.

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